

REMARKS

Applicant thanks the Examiner for the thorough consideration given the present application. Claims 1-20 are currently being prosecuted. The Examiner is respectfully requested to reconsider her rejections in view of the Amendments and Remarks as set forth hereinbelow.

First, it is respectfully noted that the Office Action indicates it is a Final Office Action. However, this is the first action in this application.

ALLOWABLE SUBJECT MATTER

Applicant thanks the Examiner for allowing claims 1-14.

CLAIM FOR PRIORITY

The Examiner has not recognized the Applicant's claim for foreign priority. Accordingly, it is respectfully requested the Examiner acknowledge Applicant's claim for foreign priority in the next Office Action.

DRAWINGS

The Examiner has not approved the Formal Drawings submitted by the Applicant. It is respectfully submitted that the drawings comply with the requirements of the USPTO. If the Examiner has any objections to the Formal Drawings, she is respectfully requested to contact the undersigned as soon as possible so that appropriate action may be taken. No further action is believed to be necessary at this time unless the undersigned receives a notice from the Examiner.

ACKNOWLEDGMENT OF INFORMATION DISCLOSURE STATEMENT

The Examiner has acknowledged the previously filed Information Disclosure Statement. An initialed copy of the PTO-1449 has been received from the Examiner. No further action is necessary at this time.

REJECTION UNDER 35 U.S.C. § 103

Claims 15-20 stand rejected under 35 U.S.C. § 103 as unpatentable over Yamaguchi. This rejection is respectfully traversed.

Independent claim 15 includes a combination of elements and has been amended to clarify that the throttle valve opening control device is arranged above the throttle body and between the upper fuel injection valves and the lower fuel injection valves. These features are supported at least by Figure 4, for example, which illustrates the throttle valve opening control device 140 being arranged above the throttle body 71 and 91 and between the upper fuel injection valves 68 and lower fuel injection valves 78 (see also Figure 2 and Figure 6).

On the contrary, as shown in Figure 1 of Yamaguchi, the drive motor/throttle valve opening control device is disposed between the throttle body 17 and 18 as in the background art of Figure 7 discussed in the present application. Accordingly, it is respectfully submitted independent claim 15 and each claim depending therefrom are also allowable.

CONCLUSION

In view of the above remarks, it is believed that the claims clearly distinguish over the patent relied on by the Examiner.

Since the remaining patents cited by the Examiner have not been utilized to reject the claims, but to merely show the state of the art, no comment need be made with respect thereto.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone David A. Bilodeau at (703) 205-8072 in the Washington, D.C. area.

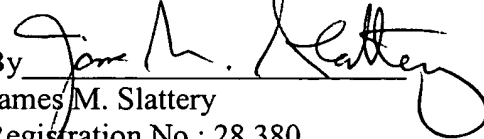
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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly extension of time fees.

Dated: June 29, 2006

Respectfully submitted,

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